

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

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 U.S. DISTRICT COURT - CHARLESTON, SC
 2015 MAY -7 A 9:27

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|--------------------------------|---|------------------------|
| James Collins, |) | |
| |) | Case No. 2:14-cv-04883 |
| Plaintiff, |) | |
| |) | ORDER |
| vs. |) | |
| |) | |
| Roger Mitchell, Jonathan Holt, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

This matter comes before the Court on the Report and Recommendation (R & R) of the Magistrate Judge (Dkt. No. 10), recommending that this action be dismissed for failure to prosecute and failure to comply with an order of the Court.

On March 3, 2015, the Magistrate Judge ordered that Plaintiff bring his Complaint into proper form within twenty-one (21) days by completing and returning a summons form and by either paying the filing fee or completing, signing, and returning an Application to Proceed Without Prepayment of Fees and Affidavit (Form AO 240) and completed Financial Certificate. (Dkt. No. 6). Plaintiff was warned that a failure to do so could result in his case being dismissed for failure to prosecute and failure to comply with a Court order. (*Id.*). Plaintiff did not bring his case into proper form. Therefore, on April 14, 2015, the Magistrate Judge issued an R & R recommending that this action be dismissed pursuant to Fed. R. Civ. P. 41. (Dkt. No. 10). Plaintiff has not filed objections to the R & R or brought this case into proper form. Therefore,

The Court ADOPTS the R & R (Dkt. No. 10) as an Order of this Court and DISMISSES this action without prejudice.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'RM Gergel', written over a horizontal line.

Richard Mark Gergel
United States District Judge

May 7, 2015
Charleston, South Carolina